

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	T. Jerussi	Confirmation No.:	9144
Serial No.:	10/717,653	Art Unit:	1611
Filed:	November 21, 2003	Examiner:	Rae, C.
For:	METHODS OF TREATING NARCOLEPSY USING ENANTIOMERICALLY PURE (S)- DIDESMETHYLSIBUTAMINE	Attorney Docket No.:	4821-529-999 (JD 208423-999527)

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

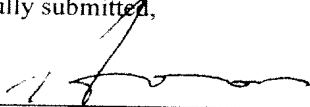
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated February 3, 2009 of the Primary Examiner finally rejecting claims 41-51 of the above-identified application.

The item(s) checked below are appropriate:

- ☐ An extension of time for responding to the final rejection for \_\_\_\_\_ month(s):  
☐ was filed on \_\_\_\_\_.  
☐ is submitted herewith.
- ☒ A timely response to the final rejection has been filed.
- ☒ A fee in the amount of **\$540.00** is:  
☒ Required.  
☐ Not required (Fee paid in prior appeal).
- ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of **\$270.00** is:  
☐ Required.  
☐ Not required (Fee paid in prior appeal).
- ☒ The fee will be paid via EFS-Web. If any other fees are required, please charge such fees to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: May 4, 2009

  
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